



General Assembly

January Session, 2015

Raised Bill No. 6770

LCO No. 3561



Referred to Committee on HUMAN SERVICES

Introduced by:
(HS)

AN ACT CONCERNING MEDICAID COVERAGE FOR OVER-THE-COUNTER DRUGS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17b-280a of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective July 1, 2015*):

3 [Notwithstanding any provision of the general statutes, no] No
4 payment shall be made under a medical assistance program
5 administered by the Department of Social Services for over-the-counter
6 drugs, except for (1) the medical assistance program established
7 pursuant to section 17b-256, (2) insulin and insulin syringes, (3)
8 nutritional supplements for individuals who are required to be tube
9 fed or who cannot safely ingest nutrition in any other form, and as
10 may be required by federal law, (4) [effective January 1, 2012,] smoking
11 cessation drugs as provided in section 17b-278a, (5) over-the-counter
12 medications determined by the Commissioner of Social Services to be
13 medically necessary or cost effective, and [(5)] (6) over-the-counter
14 drugs that are required to be covered pursuant to 42 CFR 440.347,
15 including drugs for individuals with specified diagnoses that have a

16 rating of "A" or "B" in the current recommendations of the United
 17 States Preventive Services Task Force, provided the Department of
 18 Social Services may also pay for such over-the-counter drugs under a
 19 medical assistance program or portion thereof that is not subject to 42
 20 CFR 440.347. [On or before August 1, 2011, the Commissioner of Social
 21 Services shall provide notice to pharmacists who provide services to
 22 beneficiaries of a medical assistance program administered by the
 23 department that such pharmacists may bill the department for
 24 supplies utilized in the treatment of diabetes using the durable medical
 25 equipment, medical surgical supply fee schedule. The commissioner
 26 shall provide a copy of such notice to the joint standing committees of
 27 the General Assembly having cognizance of matters relating to human
 28 services and appropriations and the budgets of state agencies.]

29 Sec. 2. Section 17b-10a of the general statutes is repealed and the
 30 following is substituted in lieu thereof (*Effective July 1, 2015*):

31 The Commissioner of Social Services, pursuant to section 17b-10,
 32 may implement policies and procedures necessary to administer
 33 section 17b-197, subsection (d) of section 17b-266, section 17b-280a and
 34 subsection (a) of section 17b-295, while in the process of adopting such
 35 policies and procedures as regulation, provided the commissioner
 36 prints notice of intent to adopt regulations [in the Connecticut Law
 37 Journal] on the department's Internet web site and the eRegulations
 38 system not later than twenty days after the date of implementation.
 39 Policies and procedures implemented pursuant to this section shall be
 40 valid until the time final regulations are adopted.

41 Sec. 3. Section 17b-261t of the general statutes is repealed. (*Effective*
 42 *from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2015</i>	17b-280a
Sec. 2	<i>July 1, 2015</i>	17b-10a

Sec. 3	<i>from passage</i>	Repealer section
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Statement of Purpose:

To allow for Medicaid reimbursement of certain over-the-counter medications and to make technical changes deleting obsolete provisions.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]